

ESTTA Tracking number: **ESTTA705535**

Filing date: **10/29/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding.	91211848
Applicant	Plaintiff Cleveland Indians Baseball Company Limited Partnership
Other Party	Defendant Light Tribe Creations N.V.
Have the parties held their discovery conference as required under Trademark Rules 2.120(a)(1) and (a)(2)?	No

Motion for an Extension of Answer or Discovery or Trial Periods With Consent

The Defendant's Time to Answer is currently set to close on 10/30/2015. Cleveland Indians Baseball Company Limited Partnership requests that such date be extended for 30 days, or until 11/29/2015, and that all subsequent dates be reset accordingly.

Time to Answer :	11/29/2015
Deadline for Discovery Conference :	12/29/2015
Discovery Opens :	12/29/2015
Initial Disclosures Due :	01/28/2016
Expert Disclosure Due :	05/27/2016
Discovery Closes :	06/26/2016
Plaintiff's Pretrial Disclosures :	08/10/2016
Plaintiff's 30-day Trial Period Ends :	09/24/2016
Defendant's Pretrial Disclosures :	10/09/2016
Defendant's 30-day Trial Period Ends :	11/23/2016
Plaintiff's Rebuttal Disclosures :	12/08/2016
Plaintiff's 15-day Rebuttal Period Ends :	01/07/2017

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*
- *Significant progress has been made towards settlement of this matter. Since the institution of the proceedings, the parties have had verbal and written settlement negotiations, and have drafted, reviewed and proposed term sheets, as well as prepared and exchanged multiple versions to a draft settlement agreement, and have fully-executed an agreement. Specifically, since the parties last sought an extension, Opposer's in-house counsel reviewed and signed the agreement, and sent the signed agreement to Opposer's outside counsel. Pursuant to the terms of the agreement, the parties filed a Motion to Amend the application at issue. The additional time is requested to allow the Board to act on the Motion to Amend the application. If accepted, there will be no need to proceed with this Opposition. The parties also request that the proceedings be suspended pending disposition of this motion.*

Cleveland Indians Baseball Company Limited Partnership has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

Cleveland Indians Baseball Company Limited Partnership has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Respectfully submitted,

/Aryn M. Emert/

Aryn M. Emert

ame@cfl.com, jmn@cfl.com, trademark@cfl.com, las@cfl.com

alexander.odle@odle.nl

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